

**CITY OF LONG BEACH
CITY COUNCIL AGENDA**

Bonnie Lowenthal, 1st District
Dan Baker, 2nd District
Frank Colonna, Vice Mayor, 3rd District
Dennis Carroll, 4th District

Gerald R. Miller, City Manager
Larry G. Herrera, City Clerk



Beverly O'Neill, Mayor

**TUESDAY, NOVEMBER 18, 2003
COUNCIL CHAMBER, 5:00 P.M.**

Jackie Kell, 5th District
Laura Richardson, 6th District
Tonia Reyes Uranga, 7th District
Rob Webb, 8th District
Val Lerch, 9th District

Robert E. Shannon, City Attorney

Ordinance No. C-7594 provides that hearings shall be set for 5:00 P.M. each Tuesday, and such hearings shall be held at the specified time for which they are set or as soon as practical regardless of the otherwise order of business of the City Council.

HEARINGS:

1. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: Owner Participation Agreement with Long Beach Plaza Associates.
(Resolution approving the proposed Owner Participation Agreement between the Redevelopment Agency of the City of Long Beach, California, and Long Beach Plaza Associates; finding that the consideration for the conveyance of certain real property in the Downtown Redevelopment Project is not less than fair market value in accordance with covenants and conditions governing such conveyance; and approving the conveyance of the property and the owner participation agreement.) (District 2)

SUGGESTED ACTION:

Receive supporting documentation into the record, conclude the hearing, and approve the Owner Participation Agreement (OPA).

Adopt Resolution and approve and authorize the City Manager to execute any additional agreements to implement the OPA.

2. DEPARTMENT: PLANNING COMMISSION

SUBJECT: Appeal of decision of the City Planning Commission to deny a Conditional Use Permit (CUP) to allow a check cashing operation in an existing commercial building at 201 W. Pacific Coast Highway. (Case No. 0307-10) (District 6)

SUGGESTED ACTION:

Receive supporting documentation into the record, conclude the hearing, overrule the appeal, and sustain the decision of the Planning Commission; or

Receive supporting documentation into the record, conclude the hearing, sustain the appeal, overrule the decision of the Planning Commission, and certify the Mitigated Negative Declaration.

3. DEPARTMENT: PUBLIC WORKS

SUBJECT: Proposed Preferential Parking District Z. (District 4)

SUGGESTED ACTION:

Receive supporting documentation, including the petitions, into the record, conclude the hearing, and request City Attorney to prepare an amendment to the Long Beach Municipal Code, establishing new preferential parking District Z as recommended by the City Traffic Engineer.

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM CITY CLERK

Opportunity given to first 10 citizens who have submitted speaker cards in writing to the City Clerk to address the City Council on non-agenda items. (Currently limited to three minutes unless extended by City Council.)

NOTICE TO THE PUBLIC

All matters listed under the Consent Calendar are to be considered routine by the City Council and will all be enacted by one motion. There will be no separate discussion of said items unless members of the City Council, staff or the public request specific items be discussed and/or removed from the Consent Calendar for separate action. Requests by the public for separate consideration should be made to the Mayor's Office or City Clerk Department prior to the beginning of the Council meeting.

CONSENT CALENDAR: (4 - 16)

4. DEPARTMENT: LAW AND CITY MANAGER

SUBJECT: Settlement of Litigation (Bixby Hill Community Association, Inc., v. City of Long Beach, et al., Los Angeles Superior Court Case No. 258460) and Sixth Amendment to Historical Site Lease No. 24291.

SUGGESTED ACTION:

Authorize City Manager to execute settlement agreement resolving Bixby Hill Community Association, Inc. v. City of Long Beach, et al., Los Angeles Superior Court Case No. 258460, and related appeals; and

Authorize City Manager to execute Sixth Amendment to Historical Site Lease 24291 pertaining to Rancho Los Alamitos, which contains the terms in the negotiated settlement agreement.

5. DEPARTMENT: CITY AUDITOR

SUBJECT: Report on audit results of contract between the City and Viacom Outdoor, Inc. for bus shelters

SUGGESTED ACTION:

Receive and file.

6. DEPARTMENT: CITY CLERK

SUBJECT: Claims for Damages.

SUGGESTED ACTION:

Refer to City Attorney the damage claims received between November 7, 2003 and November 13, 2003.

7. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: Grant funding from State Department of Education for Career Transition Center Family Literacy Program. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute all documents necessary to receive Even Start Grant funding in the amount of \$169,280, for the period of July 1, 2003 through June 30, 2004;

Authorize City Manager to execute contract with Long Beach Unified School District in the amount of \$118,011, for the period of July 1, 2003 through June 30, 2004, to deliver program services; and

Increase appropriations in the Community Development Grants Fund (SR150) and in the Department of Community Development (CD) by \$169,280.

8. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: Capacity-Building Grant from the United States Department of Commerce, Economic Development Administration (EDA), to accomplish economic development strategic planning activities. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute all necessary documents to accept an EDA Capacity-Building Grant in the amount of \$165,658; and

Increase appropriations in the Community Development Grants Fund (SR 150) and in the Department of Community Development (CD) by \$165,658.

9. DEPARTMENT: FINANCIAL MANAGEMENT
SUBJECT: Investment Report for Quarter Ending September 30, 2003. (Citywide)
SUGGESTED ACTION:
Receive and file report.
10. DEPARTMENT: LAW
SUBJECT: First amendment to Contract No. 28399 with law firm of M. Brian McMahon in matter entitled Southern California Gas Company vs. City of Long Beach.
SUGGESTED ACTION:
Authorize City Manager to execute amendment to increase the total amount of contract by additional \$100,000.
11. DEPARTMENT: POLICE
SUBJECT: Memorandum of Understanding (MOU) between the City of Long Beach and the California Department of Justice, Bureau of Narcotics Enforcement (BNE) for participation in the Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force (L.A. IMPACT) Gang Investigative Team. (Citywide)
SUGGESTED ACTION:
Authorize City Manager to execute agreement and any subsequent amendments, for a period of three years and either party may terminate the agreement with thirty (30) days' written notice to the other party.
12. DEPARTMENT: POLICE
SUBJECT: Alcoholic Beverage License Applications (Person-to-Person Transfers).
A. Application of California Taste Enterprises LLC, dba Fleur De Lis, for a person-to-person transfer of an on-sale beer and wine for bonafide eating place alcoholic beverage license at 335 Nieto Avenue. (District 3)
B. Application of Hyo Soon Jang, Il Hyun Jang, Sophia Sohyun Jeon, and Mi Ok Oh, dba K H Liquor, for a person-to-person transfer of an off-sale general alcoholic beverage license at 1934 East Anaheim Street. (District 4)
C. Application of Benjung Corporation, dba Elby's Liquor, for a person-to-person transfer of an off-sale general alcoholic beverage license at 3337 East South Street. (District 9)
SUGGESTED ACTION:
Receive and file applications with existing conditions.

13. DEPARTMENT: PUBLIC WORKS

SUBJECT: Easement Deed to provide for the widening of the intersection of Cherry Avenue and Wardlow Road adjacent to 3401 Cherry Avenue. (District 7)

SUGGESTED ACTION:

Request City Attorney to accept easement deed.

14. DEPARTMENT: PUBLIC WORKS

SUBJECT: Plans and Specifications No. R-6608 for beach bicycle path realignment at Belmont Pier. (District 3)

SUGGESTED ACTION:

Adopt Plans and Specifications.

Authorize City Manager to advertise for bids.

Increase appropriations in Capital Improvement Program No. PW5330 in the General Capital Projects Fund (CP 201) by \$130,000 and Gas Tax Street Improvement Fund (SR 181) by \$150,000, in the Department of Public Works (PW).

15. DEPARTMENT: PUBLIC WORKS

SUBJECT: Plans and Specifications No. R-6601 and award contract to Palp, Inc., dba Excel Paving Co., for the improvement of Del Amo Boulevard between Atlantic Avenue and Orange Avenue. (District 8)

SUGGESTED ACTION:

Adopt Plans and Specifications.

Authorize City Manager to award the contract to Palp, Inc., dba Excel Paving Co., in an estimated amount of \$394,877, and execute the contract and all necessary documents related to the contract.

16. DEPARTMENT: VARIOUS

SUBJECT: Minutes for filing:

Civil Service Commission, October 29, 2003

Planning Commission, September 18, 2003

Water Commission, October 16 and 23, 2003

SUGGESTED ACTION:

Receive and file.

SUGGESTED ACTION: CONCUR IN RECOMMENDATIONS ON CONSENT CALENDAR.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

17. COUNCIL OFFICES: COUNCILMEMBER TONIA REYES URANGA, SEVENTH DISTRICT
COUNCILMEMBER ROB WEBB, EIGHTH DISTRICT

SUBJECT: Update on status of Long Beach Airport runway improvements and processing of noise complaints.

SUGGESTED ACTION:

Request report on Long Beach Airport Runway 12-30 improvements and Airport Advisory Commission noise report from City Manager on December 2, 2003; and receive and file presentation on use of Runway 25R.

18. COUNCIL COMMITTEES: COUNCILMEMBER ROB WEBB, EIGHTH DISTRICT, CHAIR, ECONOMIC DEVELOPMENT AND FINANCE COMMITTEE
COUNCILWOMAN LAURA RICHARDSON, SIXTH DISTRICT, VICE CHAIR, STATE LEGISLATION AND ENVIRONMENTAL AFFAIRS COMMITTEE

SUBJECT: Spiraling workers' compensation costs.

SUGGESTED ACTION:

Concur in recommendation of Committees.

19. DEPARTMENTS: COMMUNITY DEVELOPMENT
PARKS, RECREATION AND MARINE
PUBLIC WORKS

SUBJECT: First Amendment to Agreement No. 27901 with LSA Associates, Inc., for completion of Environmental Impact Report for the proposed Sports Park project. (District 7)

SUGGESTED ACTION:

Authorize City Manager to execute amendment in the amount of \$465,748, for the Environmental Impact Report for the proposed Sports Park Project;

Increase appropriations in the General Fund (GP) and in the Department of Financial Management (XC) by \$465,748; and,

Increase appropriations in Capital Improvement Project No. PW3080 in the Capital Projects Fund (CP) and in the Department of Public Works (PW) by \$465,748.

20. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Second Amendment to Contract No. 27524 with Contact Security, Inc., for security guard services at various City sites. (Districts 1,2,5,7,8)

SUGGESTED ACTION:

Make Proposition "L" findings and determinations pursuant to Section 1806 of the City Charter regarding contracting of security guard services at designate.

Authorize City Manager to execute amendment, for a one-year period in an annual amount not to exceed \$760,590.

Authorize amendments to exercise the City's option to renew where noted and authorize City Manager to execute same.

21. DEPARTMENT: FIRE

SUBJECT: Fire Department grant appropriations.

SUGGESTED ACTION:

Increase appropriations in the General Fund (GP) and Fire Department (FD) by \$556,709; and

Increase appropriations in the General Grants Fund (SR 120) and Fire Department (FD) by \$2,532,391.

22. DEPARTMENT: POLICE

SUBJECT: Application of Sofy Som, dba S & B Foods, for an original on-sale beer and wine for bonafide eating place alcoholic beverage license at 4700 Deukmejian Drive. (District 3)

SUGGESTED ACTION:

Receive and file application; or

Request City Clerk to file protest with State Department of Alcoholic Beverage Control; or

Request City Clerk to transmit conditions to State Department of Alcoholic Beverage Control.

23. DEPARTMENT: POLICE

SUBJECT: Application of Anabel Magdaleno and Benito Magdaleno, dba El Norteno, for an original on-sale beer and wine for bonafide eating place alcoholic beverage license at 558 East Willow Street. (District 6)

SUGGESTED ACTION:

Receive and file application; or

Request City Clerk to file protest with State Department of Alcoholic Beverage Control; or

Request City Clerk to transmit conditions to State Department of Alcoholic Beverage Control.

24. DEPARTMENT: PUBLIC WORKS

SUBJECT: Adopt Plans and Specifications No. R-6599 and award the annual contract to Sully-Miller Contracting Company for street repairs and minor improvements. (Citywide)

SUGGESTED ACTION:

Adopt Plans and Specifications.

Authorize City Manager to award contract in an amount not to exceed \$4,000,000; and execute the contract and all necessary documents related to the contract.

RESOLUTIONS:

25. DEPARTMENT: CITY CLERK

SUBJECT: Resolution ordering, proclaiming, calling and giving notice of a Primary Nominating Election in the City of Long Beach, California, on Tuesday, the 13th day of April, 2004, for the nomination and/or election of candidates for four (4) offices on the City Council, each for a full term of four (4) years, commencing with the third Tuesday of July, 2004, and adopting provisions relating to the translations of and the charges for costs of candidate statements.

SUGGESTED ACTION:

Adopt resolution.

26. DEPARTMENT: CITY CLERK

SUBJECT: Resolution consenting to requests from the Board of Education of the Long Beach Unified School District and the Board of Trustees of the Long Beach Community College District to consolidate governing board member elections with the City of Long Beach Primary Nominating Election to be held on April 13, 2004.

SUGGESTED ACTION:

Adopt resolution.

27. DEPARTMENT: CITY CLERK

SUBJECT: Resolution requesting the Board of Supervisors of the County of Los Angeles to render specified services to the City relating to the conduct of a Primary Nominating Election to be held on Tuesday, April 13, 2004, and a General Municipal Election to be held in the City on Tuesday, June 8, 2004.

SUGGESTED ACTION:

Adopt resolution.

28. DEPARTMENT: LAW

SUBJECT: Resolution urging the State of California to provide funding to construct safety improvements on the I-710 Freeway.

SUGGESTED ACTION:

Adopt resolution.

29. DEPARTMENT: PARKS, RECREATION AND MARINE

SUBJECT: Resolution authorizing the City Manager to submit an application for and to enter an agreement and all amendments with the State Resources Agency for funding under the Safe Drinking Water, Clean Water, and Watershed Protection and Flood Protection Bond Act of 2000 for acquisition of land to be developed as park area. (District 1)

SUGGESTED ACTION:

Adopt Resolution authorizing City Manager to submit a grant application for \$850,000 in grant funding for the acquisition of 0.76 acres of land between Cesar E. Chavez and Drake Parks, with a total project cost estimate of \$1,176,850, and to execute any documents necessary for the implementation and administration of the project.

30. ~~DEPARTMENT: PARKS, RECREATION AND MARINE~~

Withdrawn

~~SUBJECT: Resolution approving and authorizing the destruction of certain records, papers, and writings by the Department of Parks, Recreation and Marine. (Citywide)~~

~~SUGGESTED ACTION:~~

~~Adopt resolution.~~

ORDINANCES:

31. DEPARTMENT: LAW

SUBJECT: Ordinance amending Long Beach Municipal Code by adding District W to Section 10.32.110 creating a new preferential parking district. (District 4)

SUGGESTED ACTION:

Declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading.

32. DEPARTMENT: LAW

SUBJECT: Ordinance amending Long Beach Municipal Code by amending District G of Section 10.32.110 relating to a preferential parking district. (District 5)

SUGGESTED ACTION:

Declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading.

33. DEPARTMENT: LAW

SUBJECT: Ordinance amending the Long Beach Municipal Code by adding Subsections 96 and 97 to Section 10.24.076, relating to the parking of oversized vehicles. (District 3)

SUGGESTED ACTION:

Declare ordinance read and adopted as read.

NEW BUSINESS:

34. DEPARTMENT: POLICE

SUBJECT: Agreement between the City of Long Beach and the Long Beach Unified School District regarding school resource officers. (Citywide)

SUGGESTED ACTION:

Authorize City Manager to execute agreement, and any subsequent amendments, at a net cost to the City for the first year of the program will be approximately \$470,800.

35.

36.

PUBLIC: IMMEDIATELY PRIOR TO ADJOURNMENT

Opportunity given to citizens to address the City Council on non-agenda items who have not already addressed the City Council on non-agenda items. (Currently limited to three minutes unless extended by City Council.)

REMINDERS:

November 18, 2003, Joint Economic Development and Finance Committee and State Legislation and Environmental Affairs Committee at 2:00 P.M.

November 18, 2003, Economic Development and Finance Committee (Attorney/Client) at 4:50 P.M.

December 2, 2003, Hearing on application of The Belmont Companies, dba Yankee Doodles for a Permit for a Billiard Hall at 4100 E. Ocean Boulevard. (District 3)

December 2, 2003, Hearing on Disposition and Development Agreement for sale of agency-owned property at 1452 West 14th Street. (District 1)

December 2, 2003, Hearing on increase of Advanced Life Support (ALS) emergency ambulance transportation service rates.

NOTE: An agenda may be obtained from the City Clerk Department prior to the meeting or can be mailed if the City Clerk is provided self-addressed, stamped envelopes mailed to: City Clerk Dept., City Hall Plaza Level, 333 W. Ocean Blvd., Long Beach, CA 90802. You may view the agenda or documents on the Internet at www.longbeach.gov. E-Mail correspondence can be directed to cityclerk@longbeach.gov. Agenda items may be reviewed in the City Clerk Department or the Government Publications Section of the Main Library and at Branch Libraries. Communicate through the Telephone Device for the Deaf (TDD) at (562) 570-6626. If a special accommodation is desired pursuant to the Americans with Disabilities Act, or if you need the agenda provided in an alternate format, please phone Jonda Matrone at (562) 570-6765 in the City Clerk Department. Inquire at the City Council Chamber Audio-Visual Room for an assistive listening device.